

### REMARKS

The foregoing amendment does not include the introduction of new matter into the present application for invention. Therefore, the Applicant, respectfully, requests that the above amendment be entered in and that the claims to the present application, kindly, be reconsidered.

The Office Action dated July 27, 2005 has been received and considered by the Applicants. Claims 1-18 are pending in the present application for invention. Claims 1-18 are rejected by the July 27, 2005 Office Action.

The Office Action rejects Claims 1-11 under the provisions of 35 U.S.C. §101 as being directed to non-statutory subject matter. The Examiner states that there is no tangible structure involved within the rejected claims. The foregoing amendment to the claims is believed to have added tangible structure in an effort to move this case towards allowance.

The Office Action rejects Claims 1, 7, 11 and 12 under the provisions of 35 U.S.C. §102(a) as being anticipated by "Best Case Response Time Analysis for Improved Schedulability Analysis of Distributed Real Time Tasks" by Kim et al. (hereinafter referred to as Kim et al.).

Regarding Claims 1, 11, and 12, the Examiner's response to the previous arguments submitted by the Applicants states that Kim et al. disclose determining the best-case response time for a first period task as defined by the rejected claims. Specifically, the Examiner states that Figures 2, on page 2, of Kim et al. and the discussion related, thereto, disclose that  $\tau_3$  is activated at times 5, 10 and 19 after the completion of  $\tau_2$ . This may be true; however, this fact does not directly relate to the subject matter defined by the rejected claims. There is no discussion of deriving the best-case response time for a first period task in the middle paragraph on page 2 of Kim et al. The middle paragraph that the Examiner refers to discusses the best-case response time but does not mention how it is determined. In fact the best-case response time discussed in middle paragraph on page 2 of Kim et al. is that for  $\tau_2$  and not  $\tau_3$ . Moreover,  $\tau_2$  and  $\tau_3$  are stated as being end-to-end tasks and not tasks where one has a higher priority than the other. Therefore, this entire discussion on page 2 of Kim et al. is not on point with the

subject matter defined by the rejected claims.

The Examiner also refers to page 3, second column of Kim et al. The Examiner states that the Best Case Response Time (BCRT) taught by Kim et al. on page 3 discloses determining that the best case response time of the first periodic task is substantially equal to the difference between a start of the first periodic task and a completion of the first periodic task, the start being right after a release of the first periodic task and the completion coinciding with a release of the second periodic task. The Applicants, respectfully, point out that that the BCRT as proposed by Kim et al. on page 3 does not provide any disclosure or suggestion for the start of the first periodic task being right after a release of the first periodic task and the completion of the first periodic task coinciding with a release of the second periodic task. Therefore, Kim et al. do not disclose all the elements as defined by the rejected claims.

Regarding Claim 7, the Examiner states that these claims are rejected for the same reason as Claim 1. Accordingly, this rejection is traversed for the same reasons as previously stated for Claim 1.

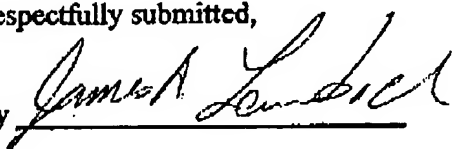
The Office Action rejects Claims 13-18 under the provisions of 35 U.S.C. §103(a) as being unpatentable over "Best Case Response Time Analysis for Improved Schedulability Analysis of Distributed Real-Time Tasks" by Kim et al. (hereinafter referred to as Kim et al.). The Examiner takes Official Notice in that it is well known in the art that television sets or set top boxes execute client/server applications. The Examiner further states that it would be obvious to one skilled in the art that the invention of Kim et al. is operable on a television set or set top box in order to calculate tighter lower bound response time in the real-time television. The Applicants respectfully traverse the Examiner's taking of Official Notice that the invention as defined by Claim 13-18 would be obvious to a person skilled in the art. Claims 13-18 define subject matter for implementing the Best Case Response schedulability that is defined in the claims from which Claim 13-18 depend. Kim et al. do not disclose or suggest implementing the Best Case Response schedulability that is defined by these rejected claims. The references presented by the Examiner in support of the Official Notice do not disclose or suggest the subject matter for implementing the Best Case Response schedulability that is defined in the rejected claims. Therefore, this rejection is, respectfully, traversed.

Claims 19-20 have been added by the foregoing amendment that defines subject matter similar for there to be many higher priority tasks. This subject matter is disclosed on pages 5 and 6 of the specification to the present invention. This subject matter is not disclosed in the cited references. Therefore, Claim 19-20 are believed to be allowable.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By 

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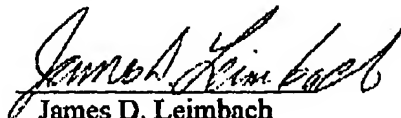
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